

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

G.S. by and through his parents and next )  
friends, BRITTANY and RYAN )  
SCHWAIGERT, S.T. by and through )  
her mother and next friend, EMILY )  
TREMEL; J.M., by and through )  
her mother and next friend, )  
KIMBERLY MORRISE; and on )  
behalf of those similarly situated, )

Plaintiffs,

v.

GOVERNOR BILL LEE, in his official )  
capacity as GOVERNOR OF TENNESSEE, )  
and SHELBY COUNTY, TENNESSEE, )

Defendants.

Case 2:21-cv-02552-SHL-atc

**DEFENDANT’S UNOPPOSED MOTION TO EXTEND  
THE TIME FOR FILING A RESPONSE TO PLAINTIFFS’  
MOTION FOR INTERIM AWARD OF ATTORNEY’S FEES AND COSTS**

Defendant Governor Bill Lee, in his official capacity as the elected chief executive of Tennessee, by and through the Office of the Tennessee Attorney General, respectfully requests that the Court extend the time allowed for filing a response to Plaintiffs’ Motion for Interim Award of Attorney’s Fees and Costs (ECF 101) from January 6, 2021 to January 13, 2021. In support of this motion, Defendant states as follows:

1. Plaintiffs’ motion was filed on the evening of December 23, 2021. Pursuant to the Court’s rules, Defendant’s response is due to be filed 14 days thereafter, on January 6, 2021.
- L.R.7.2(a)(2).

2. Plaintiffs' motion raises significant legal issues and is accompanied by numerous declarations and exhibits that must be carefully reviewed and analyzed for reasonableness and factual accuracy. (*See* ECF 101-2 to 101-6.) Additional time is thus necessary to prepare an appropriate response to Plaintiffs' request for \$160,423.13 in attorney's fees and \$2,605.90 in costs.
3. Defendant seeks this extension in good faith and not for purposes of undue delay. This is Defendant's first request for an extension of time to respond to this motion, and the Court's grant of this motion will not impact other proceedings in this matter.
4. Defendant's counsel has consulted with Plaintiffs' counsel concerning the action requested by this motion, and Plaintiffs do not oppose this motion.

### **CONCLUSION**

For the foregoing reasons, Governor Lee respectfully requests that the Court extend the time for him to file a response to Plaintiffs' Motion for Interim Award of Attorney's Fees and Costs to January 13, 2021.

Respectfully submitted,

HERBERT H. SLATERY III  
Attorney General and Reporter

/s/ James R. Newsom  
James R. Newsom (TN BPR No. 6683)  
Matthew R. Dowty (TN BPR No. 32078)  
Robert W. Wilson (TN BPR No. 34492)  
Office of the Tennessee Attorney General  
40 South Main Street, Suite 1014  
Memphis, TN 38103  
(901) 543-9039  
Jim.Newsom@ag.tn.gov  
Matthew.Dowty@ag.tn.gov  
Robert.Wilson@ag.tn.gov  
*Counsel for Defendant*  
*Governor Bill Lee*

**CERTIFICATE OF CONSULTATION**

On December 29, 2021, undersigned counsel for Defendant Governor Lee (Jim Newsom) consulted with counsel for Plaintiffs (Bryce Ashby) by telephone concerning the extension requested by this motion. Mr. Ashby advised that Plaintiffs do not oppose the requested extension.

/s/ James R. Newsom  
Special Counsel  
TN Bar No. 6683

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 30th day of December 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing report. Parties may access this filing through the Court's electronic filing system.

/s/ Matthew R. Dowty  
Assistant Attorney General  
TN Bar No. 32078